

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KEVIN WUTHERICH,	)	
	)	
Plaintiff,	)	Civil Action No. 18-200
	)	
v.	)	Judge Cathy Bissoon
	)	Chief Magistrate Judge Maureen P. Kelly
RICE ENERGY INC,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

This case has been referred to Chief Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On October 2, 2018, the Magistrate Judge issued a Report (Doc. 30) recommending that Defendants' Motions to Dismiss (Doc. 14) be granted in part and denied in part, as described in the Report. Service of the Report and Recommendation ("R&R") was made on the parties, and Plaintiff has filed Objections. *See* Doc. 31.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

Defendant's Motion to Dismiss (**Doc. 14**) is **DENIED** as to Count I, and **GRANTED** as to Count II; and the Magistrate Judge's R&R (Doc. 30) hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

November 1, 2018

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel of Record